

### **REMARKS**

In the Office Action, the Examiner rejected claims 1-70. By the present Response, Applicants amend claims 1, 3, 7, 11, 13, 19, 30, 31, 33, 37, 38, 42, 44, 49, 53, 54, 63, and 69 to further clarify the claimed subject matter. Upon entry of the amendments, claims 1-70 will remain pending in the present patent application. Applicants respectfully request reconsideration of the above-referenced application in view of the foregoing amendments and the following remarks.

### **Interview Summary**

Applicants thank the Examiner for his participation in telephonic interviews with Applicants' representative on January 8, 2007, and January 10, 2007. In these interviews, the claims of the present patent application and the prior art of record were generally discussed. Particularly, Applicants' representative and the Examiner discussed the Andrew and Taubman references, and proposed amendments to claim 1 that more particularly point out and distinctly claim certain subject matter which Applicants regard as their invention. No specific agreement was reached regarding the proposed amendments. The Examiner also noted a belief that the JPEG 2000 standard may be relevant to the proposed amendments discussed. While the present amendments do generally incorporate the proposed amendments discussed during the interview with respect to claim 1, Applicants note that the present amendments also include additional recitations that were not discussed during this interview (e.g., tracking of a displayed area of interest and reference marking of images for later retrieval). Accordingly, Applicants respectfully request reconsideration of the instant claims, as amended. For the reasons provided below, all of the pending claims are believed allowable over the prior art of record. Should the Examiner, however, believe that further clarification is necessary, Applicants respectfully request that the Examiner contact the undersigned to discuss the present claims.

**Rejections under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 1-15, 17-34, 36-46, 48-53, and 62-70 under 35 U.S.C. § 103(a) as unpatentable over Andrew (U.S. Patent No. 6,763,139) in view of Taubman (U.S. Patent No. 6,778,709). The Examiner also rejected dependent claims 54-61 under 35 U.S.C. § 103(a) as unpatentable over Andrew and Taubman in view of Cooke, Jr. et al. (U.S. Patent No. 6,574,629). Additionally, the Examiner rejected dependent claims 16, 35, and 47 under 35 U.S.C. § 103(a) as unpatentable over Andrew and Taubman in view of Sodagar et al. (U.S. Patent No. 6,157,746). Applicants respectfully traverse these rejections.

***Legal Precedent***

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

***Omitted Features of the Independent Claims***

Turning now to the present claims, it appears that the Andrew and Taubman references collectively fail to disclose each element of amended independent claims 1 and 19. For instance, independent claims 1 and 19, as amended, recite “tracking the area of interest for later viewing by the client without storing a separate copy of the portion of the data stream corresponding to the area of interest.” *See, e.g.*, Application, page 48, line 23 – page 49, line 1; FIGS. 24A and 24B. Amended independent claim 1 also recites that the data stream “comprises a plurality of data storage blocks, each data storage block including a plurality of spatially-equivalent sub-band blocks of the plurality of sub-band blocks and *a respective address tag that uniquely identifies the plurality of spatially-equivalent sub-band blocks of each respective data storage block*” (emphasis added). *See, e.g., id.* at pages 39-45; FIGS. 21A, 21B, and 26. Further, amended independent claim 31 recites “reference marking the area of interest according to the decomposition level and tessellation block indices to facilitate later retrieval and/or analysis of the marked area of interest.” *See, e.g., id.* at page 48, line 23 – page 49, line 1; FIGS. 24A and 24B. Claims 38, 49, and 63 also contain recitations generally directed to reference marking an area of interest to facilitate later analysis and/or retrieval of that area of interest. Because it is believed that the Andrew and Taubman references fail to disclose such elements, Applicants respectfully submit that the cited references fail to support a *prima facie* case of obviousness with respect to the present independent claims.

The Andrew reference is generally directed to a technique for encoding and decoding a localized portion of a digital image. Col. 1, lines 7-10. Andrew teaches an encoding process 100 that includes a decomposition step 103 to arrange a bit stream 500 of decomposed data. Col. 4, line 66 – col. 5, line 8; col. 8, lines 29-30; FIG. 1. However, the Andrew reference appears to be silent as to *tracking* a particular area of interest for later viewing without maintaining a separate copy of the area of interest data; data storage blocks including respective *address tags that uniquely identify* a plurality of spatially-

equivalent sub-band blocks; and *reference marking* of an area of interest for future analysis or retrieval, as variously recited by the present claims.

The Taubman reference is generally directed to data coding and embedded bitstreams. Col. 1, lines 6-8. Among other things, the Taubman reference appears to teach region-of-interest processing, allowing a user to select a region of a map for higher-resolution display of the selected region. Col. 21, line 37 – col. 22, line 15. Like the Andrew reference, however, the Taubman reference appears to be silent as to tracking particular areas of interest for later viewing by the client, reference marking an area of interest for future retrieval or analysis, or the use of address tags within data storage blocks that uniquely identify a set of spatially-equivalent sub-band blocks. As a result, Applicants believe that the teachings of the Taubman reference do not obviate the deficiencies of the Andrew reference with respect to the instant claims.

Because the Andrew and Taubman references apparently fail to disclose each and every element, the cited references do not appear to establish a *prima facie* case of obviousness with respect to independent claims 1, 19, 31, 38, 49, and 63, or their respective dependent claims. Additionally, Applicants note that dependent claims 11, 30, 37, 42, 54, and 69 generally recite subject matter similar to at least one of the recitations discussed above with respect to the independent claims, and are believed to be separately allowable over the prior art of record for the same reasons, in addition to their dependency from the independent claims. For at least these reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103 and allowance of claims 1-15, 17-34, 36-46, 48-54, and 62-70.

***Deficiencies of the Rejections of Claims 16, 35, 47, and 54-61***

Applicants note that each of claims 16, 35, 47, and 54-61 depends from one of independent claims 1, 31, 38, or 49. As discussed above, the Andrew reference fails to disclose each element of these independent claims. Further, the Cooke, Jr. et al. and

Sodagar et al. references do nothing to obviate the deficiencies of the Andrew reference. As a result, dependent claims 16, 35, 47, and 54-61 are allowable on the basis of their dependency from a respective allowable independent claim, as well as for the subject matter separately recited in these dependent claims. Accordingly, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claims 16, 35, 47, and 54-61.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: January 23, 2006



L. Lee Eubanks IV  
Reg. No. 58,785  
FLETCHER YODER  
P.O. Box 692289  
Houston, TX 77269-2289  
(281) 970-4545